

SPECIAL CIVIL APPLICATION NO. 4191 OF 1983

Date of decision: 3-5-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE, J
(3-5-1996)

Mr. K. S. Acharya for the petitioner
Mr. S. N. Shelat for the respondent.

ORAL JUDGMENT:

Heard the learned counsel for the petitioner. The challenge is made by the petitioner to the award of the

Industrial Tribunal, Ahmedabad, dated July 19, 1982. The grievance of the petitioner is that the Tribunal has committed error in granting conveyance allowance to the category of the surveyors working in Ahmedabad Municipal Corporation at the rate of Rs.85/- per month. The other class of employees, namely, Sanitary Inspector, Vehicle Inspector and Street Light Inspector were getting the conveyance allowance at the rate of Rs.95/- plus one liter petrol per day. This contention of the petitioner is devoid of any substance. These are different classes of employees and looking to the facts of the case I do not consider it to be a discrimination. Conveyance allowance is to be given keeping in mind the services of the employees required to be taken as well as the nature of the duties to be discharged. The very nature of the names of the posts suggests that there cannot be any comparison in between the surveyors on one hand and the sanitary inspector, vehicle inspector and street light inspector on the other. In view of these facts, I do not find any case in favour of the petitioner, which warrants interference of this Court in the award passed by the Industrial Tribunal, Ahmedabad dated July 19, 1982.

2. Mr. Acharya, learned counsel for the petitioner contended that though the award has been passed in the year 1982 and after that cost of petrol, motor bike, scooter, service charges, maintenance cost, etc., have tremendously been increased, still the respondents pay the surveyors Rs.85/- per month as conveyance allowance. This is not the subject matter of dispute in this writ petition nor is it desirable to go into this question in this petition. However, for this grievance the petitioner may make representation to the respondents and in case such representation is made, the same shall be considered by the respondents within reasonable time.

3. In the result the special civil application is dismissed. Rule discharged. No order as to costs..

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